

By the Committees on Health and Human Services Appropriations;
and Higher Education; and Senator Aronberg

603-05191-10

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1 A bill to be entitled

2 An act relating to teaching nursing homes; amending s.
3 430.80, F.S.; revising the term "teaching nursing
4 home" as it relates to the implementation of a
5 teaching nursing home pilot project; revising the
6 requirements to be designated as a teaching nursing
7 home; amending s. 400.141, F.S.; conforming a cross-
8 reference; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsections (1) and (3) of section 430.80,
13 Florida Statutes, are amended to read:

14 430.80 Implementation of a teaching nursing home pilot
15 project.-

16 (1) As used in this section, the term "teaching nursing
17 home" means a nursing home facility licensed under chapter 400
18 which contains a minimum of 170 ~~400~~ licensed nursing home beds;
19 has access to a resident senior population of sufficient size to
20 support education, training, and research relating to geriatric
21 care; and has a contractual relationship with a federally funded
22 accredited geriatric research center in this state or operates
23 in its own right as a geriatric research center.

24 (3) To be designated as a teaching nursing home, a nursing
25 home licensee must, at a minimum:

26 (a) Provide a comprehensive program of integrated senior
27 services that include institutional services and community-based
28 services;

29 (b) Participate in a nationally recognized accreditation

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30 program and hold a valid accreditation, such as the
31 accreditation awarded by the Joint Commission on Accreditation
32 of Healthcare Organizations, or, at the time of initial
33 designation, possess a Gold Seal Award as conferred by the state
34 on its licensed nursing home;

35 (c) Have been in business in this state for a minimum of 10
36 consecutive years;

37 (d) Demonstrate an active program in multidisciplinary
38 education and research that relates to gerontology;

39 (e) Have a formalized contractual relationship with at
40 least one accredited health profession education program located
41 in this state;

42 ~~(f) Have a formalized contractual relationship with an~~
43 ~~accredited hospital that is designated by law as a teaching~~
44 ~~hospital; and~~

45 (f) ~~(g)~~ Have senior staff members who hold formal faculty
46 appointments at universities, which must include at least one
47 accredited health profession education program; and

48 (g) ~~(h)~~ Maintain insurance coverage pursuant to s.
49 400.141(1)(s) or proof of financial responsibility in a minimum
50 amount of \$750,000. Such proof of financial responsibility may
51 include:

52 1. Maintaining an escrow account consisting of cash or
53 assets eligible for deposit in accordance with s. 625.52; or

54 2. Obtaining and maintaining pursuant to chapter 675 an
55 unexpired, irrevocable, nontransferable and nonassignable letter
56 of credit issued by any bank or savings association organized
57 and existing under the laws of this state or any bank or savings
58 association organized under the laws of the United States that

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59 has its principal place of business in this state or has a
60 branch office which is authorized to receive deposits in this
61 state. The letter of credit shall be used to satisfy the
62 obligation of the facility to the claimant upon presentment of a
63 final judgment indicating liability and awarding damages to be
64 paid by the facility or upon presentment of a settlement
65 agreement signed by all parties to the agreement when such final
66 judgment or settlement is a result of a liability claim against
67 the facility.

68 Section 2. Paragraph (s) of subsection (1) of section
69 400.141, Florida Statutes, is amended to read:

70 400.141 Administration and management of nursing home
71 facilities.—

72 (1) Every licensed facility shall comply with all
73 applicable standards and rules of the agency and shall:

74 (s) Maintain general and professional liability insurance
75 coverage that is in force at all times. In lieu of general and
76 professional liability insurance coverage, a state-designated
77 teaching nursing home and its affiliated assisted living
78 facilities created under s. 430.80 may demonstrate proof of
79 financial responsibility as provided in s. 430.80(3) (g) ~~(h)~~.

80 Section 3. This act shall take effect July 1, 2010.